

To: Bay Area Air Quality Management District and the Board

Attn: Jack P. Broadbent, Thu Bui and Dennis Jang

From: Cathy Helgersen – CAP – Citizens Against Pollution Phone No. 408-253-0490

Regarding: Major Facility Review Title V Permit Proposed Renewal

Issued To: Lehigh Southwest Cement Company – Now known as Lehigh Hanson Cement Company

Facility - # A0017

Page 3 I. Standard Conditions – No Comment A. Admin. Requirements

B. Conditions to Implement Regulations 2, Rule 6 Major Facility Review – Read more

2. The permit holder shall comply with all conditions of this permit. The permit consists of this document and all appendices. Note: This is very important- any non- compliance with the terms and conditions of this permit will constitute a violation of the law and will be grounds for enforcement action; permit termination, revocation and re-issuance, or modification; or denial of a permit renewal application (Regulation 2-6-307; MOP Volume II, Part 3, 4.11.

Comment: Lehigh Hanson Cement and Quarry has been continually out of compliance and nothing is done about it. Looking at the Permit that states Regulation 2-6-307 MOP Volume II, part 3, 4.11) Stating this Rule seems it looks good on paper but with no enforcement it really means nothing. The public needs to look up this Regulation themselves because the detail is not stated in the Title V Permit this means a great deal of work has to be performed in order to really know what is going on. This of course makes no sense to the public and there needs to be more information provided.

Page 4 - I. Standard Conditions (3) States Halt or Reduce the permitted activity in order to maintain compliance with such term or condition shall not be a defense to such enforcement action (MOP Volume II, Part 3, 4.11

Comment: This item (3) makes no sense can you look at the wording maybe something has been left out seems contradicting itself the polluter Lehigh Hanson has a permitted activity level which has been established so why would they have to reduce the permitted activity? If the BAAQMD has decided to change things with a Rule and Regulation the permitted activity may need to be changed and the polluter Lehigh Hanson if they cannot comply than the enforcement action then enforcement should involve closing down the facility for good or until they can acquire equipment that will bring them into compliance. I think this is a more descriptive explanation something the public can understand please make your Standard Condition reflect the true enforcement action that needs to be taken.

Page 5 – I. Standard Conditions – C- Requirement to pay fees the permit holder shall pay annual fees in accordance with District Regulations³, including Schedule P. (Regulation 2-6-402 & 409.13 Regulations 3, MOP Volume II, Part 3, 412

Comment: This Annual Fee that Lehigh Hanson Cement and other companies have to pay each year according to Regulation 3 under Rule and Regulation 11-18 which the BAAQMD was supposed to implement stronger restrictions under it seems deceptive. It seems that the fees paid are just money given to the BAAQMD and to the Air Resource Board that allows the polluters to pollute and get away with it this needs to end. The real issue here it seems to be in protecting the polluter keeping him in business and of course he does not really mind paying the fee and just right it off as an expense to do business. The public is truly appalled by these bribes paid to the agencies that are supposed to protect the public from the horrible pollution we are continually subjected to 24/7. My question here is how can the State or Federal Governments allow these polluters to pollute us to death what good are Rules and Regulations and the Clean Air Act and the Clean Water Act if all the polluter has to do is pay off the agencies that regulate them. This kind of corruption must end and it must end because too many people are sick and dying from this terrible pollution and the public is completely in the dark about what is taking place.

Page 5 Inspection and Entry – Access to the Facility

Comment: The inspector may visit the facility but the question is how can he really know anything about the calibration of the monitoring equipment Lehigh Hanson Cement calibrates their own equipment and so it would seem they can alter the settings on the equipment to suite their own purpose. The only thing I hear from the BAAQMD inspector and staff is that they would be in big trouble if they did and so I have to wonder who is going to catch them? If someone did suspect there was any tampering with the calibration of the equipment would they really let anyone know I don't think they would. It is very easy to adjust the equipment to register whatever they want so as not to be in noncompliance. The amount of pollution coming from Lehigh Hanson Cement and the Quarry is harming the population the public keeps complaining and nothing of any real enforcement is ever done. The public feels the health issues it is hard to breathe the dust is every place the levels set for these pollutants is ridiculous and the agencies and Santa Clara County are only interested in fees, fines, property tax revenue and sales tax from the cement sales so what is the public supposed to do?

F. Monitoring Reports –It states – All instances of Non-Compliance shall be clearly identified in these reports the reports shall be certified by the responsible official as true, accurate, and complete. In addition, all instances of non-compliance with the permit shall be reported in writing to the District's Compliance and Enforcement Division within 10 calendar days of the discovery of the incident within 30 calendar days of the discovery of any incident of non-compliance, the facility shall submit a written report including the probable cause of non-compliance and any corrective or preventative actions. The reports shall be sent by e-mail to Compliance @baaqmd.gov or by postal mail to the following address: Director of Compliance and Enforcement, Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, Ca. 94105, attn.: Title V Reports, (Regulation 2-6-502, MOP Volume II, Part 2, 4.7)

Comment: The reports you are mentioning may be internal it is hard to tell here so I would like to address the complaints from the public who call and complain on the Hot Line Compliant Line at 1-800-334-6367. They answer with you have reached the Odor Complaint Line of the Bay Area Air Quality

Management Division. I have mentioned that this is not just the Odor Complaint Line and have even written and called people at BAAQMD asking for many changes in their processes and procedures and still nothing seems to change. I have contacted the Air Resource Board and complained and even asked for an investigation to be conducted about the BAAQMD and am waiting for the ARB to send me the report and hope it arrives soon. I have mentioned that it is important to give the person that calls a complaint number and to ask them if they want the inspector to call them and if they want to have a copy of the complaint and the outcome sent to them. I am sorry to say that I have to ask for a complaint number and I have to be the one who tells them to send me a copy of the complaint. I ask that the inspector call and tell me what the problem was and he does not call. The inspector has been way behind in his report and it takes months to get a copy mailed to me and even though I complain nothing is done about the pollution coming from Lehigh Hanson Cement and Quarry and the Steven Creek Quarry as well. If there is a noncompliance and it is really a hit and miss situation up at Lehigh the polluter Lehigh just pays the fine and then goes out and pollutes again. The public and I grow tired of trying to get the BAAQMD to do their job and many people have stopped calling because it seems all we here is there is nothing wrong. There are times when we also hear they are working on the problem and it does not seem serious to the inspector at all and I have to wonder is this ok? This Report that goes to the Compliance and Enforcement Division is it possible for the public to get a copy because it seems that it is a different report than an Odor Complaint call? If I call on a week end or in the evening we get the answering service and they just take the call they cannot send anyone out unless it is a real emergency. I have called the Fire Department before and they have gone up to Lehigh to see what was going on but that does not good unless there is a fire. There needs to be a way to deal with the public on this matter and because the BAAQMD has decided to get rid of the stake holder meeting the public can do nothing but complain with no action taken to correct the many problems at the BAAQMD.

G. Compliance Certification – Compliance certification shall be submitted annually by the responsible official of the facility to the Bay Area Air Quality Management District and to the Environmental Protection Agency.

I. Standard Condition – States the Certification must list each applicable requirement, the compliance status, whether compliance was continuous or intermittent, the method used to determine compliance, and any other specific information required by the permit. The permit holder may satisfy this requirement through submittal of District – generated Compliance Certification forms. The certification should be directed to the Districts Compliance and Enforcement Division at the address above, and a copy of the certification shall be sent by e-mail to r9.aeo@EPA.gov or the Environmental Protection Agency at the following address: Director of the Air Division, US EPA, Regional IX, 75 Hawthorne Street, San Francisco, Ca. 9410, Attention: Air 3 (MOP Volume II Part 3, & 4.5.

Comment: I would like to know why the public was never made aware of this Compliance Certification requirement and I would like to get copies of these reports how can I do that? The Lehigh Hanson Cement and Quarry and the Stevens Creek Quarry have been out of compliance continually and so it seems to me that the question is how could they pass the Compliance Certification requirement that is supposed to be submitted annually? The EPA Region 9 is also supposed to be watching for requirements of the Compliance Certification Report and it seems they are not doing what is called for.

H. Emergency Provision – read more

Comment: The issue here is was the breakdown of the equipment at the Hanson Cement Plant due to the negligence of the company did they upgrade the equipment and do maintenance checks on the equipment so that there would be no breakdown. There should be no breakdown relief of any kind Hanson Cement Company has not retrofitted the cement plant and the kiln is continually breaking down and emitting pollution and the public suffers. The public do not want another quarry to be mined and Lehigh Hanson Company will be running out of Limestone so they will want to apply for a new quarry and the public will not stand for it. There is not the kind of enforcement that is needed to hold the polluter responsible and it seems they have ways of getting out of their violations at every turn and the public is very unhappy and they need to shut down the Lehigh Hanson Cement and Quarry and the Stevens Creek Quarry.

I. Severability – No Comment

J. Miscellaneous Conditions – 1. The maximum capacity for each source as shown in table II – A is the maximum allowable capacity. Exceedance of the maximum allowable capacity for any source is a violation of Regulation 2, Rule 1, Section 301 (Regulation 2-1-301).

Comment: The Table II – A my question here is how are these maximum capacity levels determined what method is used to determine if these allowable pollution allowances are safe. How in the world can these emissions be safe it looks like the public is subjected to high levels of pollution and Lehigh Hanson Cement Company can pollute at will how can any pollution be ok? The pollution from Lehigh Hanson Cement Company and all of the systems on the property are polluting the Air, Water and Soil at very high levels and it seems that the Agencies State and Federal and Santa Clara County seem to think that is just ok. They are not considering the cumulative effect and the chemical cocktail effect that this pollution is causing the public suffers from all kinds of health problems and many people are dying from these health issues and it seems that cement processing is more important than human and animal life. There needs to be a reckoning of some kind justice must be served and the public must be spared any more hardship.

II Equipment Table II – A – Permitted Sources read more

Comment: I am completely appalled at the levels of pollution that we the public are continually subjected to it, really is a miracle that any of us are even alive. There are all kinds of pollution coming from Lehigh Hanson Cement and Quarry the many equipment locations especially the kiln, and the dust is flying all over the Silicon Valley, and my home in Cupertino, California. I know when Lehigh Hanson is operating their cement plant because you can see the haze against the foot hills and the hot sun makes it even worse it is very hard to breathe my lungs hurt, my eyes are dry and burning, my sinuses congested are hurting, my ears are plugged so that I have trouble hearing and my stomach is upset can anyone do anything about this? Know it is not seasonal allergies, if that were not enough and what makes everything worse is I have asthma and diabetes.

S# 154 the Kiln is fueled by coal and petroleum coke both is extremely hazardous to a person health and Lehigh Hanson Cement states that they are not using coal but that seems not to be true the permit states that they are using it. Petroleum coke is a waste material of petroleum and it is radioactive this is what the public is subjected to the emissions are horrible and we suffer 24/7 days with no one to stop this crime being committed. I find it hard to understand how a Government that is supposed to be for the people can allow this terrible pollution to destroy our health and quality of life all of this is contributing to a global climate change disaster. I could go down the list items on the Title V but it would be no use because the powers that be will not listen to the public and their concerns cement is I guess more important than people's lives.

II Equipment – S-# 1 – list – Gasoline Service Station Capacity 10,000 Gallons 2 Nozzles

Comment: I am presuming that this Gasoline is for the transport of cement and other rocks, trucks coming and going from Lehigh Hanson Cement and Quarry use is high and it should be stated as to the use and how many trucks each year use this gas. There is also no mention of the pollution from the Gasoline Station what are the level limits we know they emit and what rule is this under? It is important to monitor this pollution and it seems no one is really paying attention to the ground pollution that these gasoline tanks can produce this also should be noted and how is the monitoring done. Information about the age of the tanks who monitors if there is any leakage into the ground or the ground water it should be a requirement not only with the State Regional Water Quality Control but also the BAAQMD, Santa Clara County and the EPA Region 9.

The age of the items on the II Equipment list is left out and we are told that they are custom made this is interesting does anyone have drawings or information about this equipment? Lehigh Hanson Cement and Quarry have a hard time with emissions and it could very well be because this equipment is old and needs to be retrofitted or replaced is anyone monitoring this? The age of the equipment should be on the Title V Permit and if this equipment needs to be replaced or if it can be repaired the public would like to see information on the report about this. I would think that the BAAQMD and the other agencies would like to know if Lehigh is doing their very best to stop any leakage of dust or pollution coming from the many equipment items and functions this is very important. It also does not mention what company manufactured Lehigh's equipment shouldn't that be on the report as well?

II Equipment Table II B – Abatement Devices A-10 Dust Collector 6-DC-45- through 6-DC-45 Source Controlled S-19 BAAQMD 6-1-301, BAAQMD Condition #18475, Part 5 Operating Parameters Pressure Drop & Visible Inspection, Limit of Efficiency, Ringleman 1 for 3,

A -# Includes 13 S21, and 58 S74 Read more

Source Test Every 5 years BAAQMD 9-13-302 Pressure Drop & Visible Inspection 10% opacity or Ringleman 0.5 for 3 min/hr. read list of all.

Comment: The problem has always been for the 14 years and counting that I have been an advocate against the Lehigh Hanson Cement is 10% opacity and the visible emissions because of this rule it is very difficult to determine just how much pollution is really going out into the air. The BAAQMD determines if

the emissions smoke coming from the kiln is clear, or white, even a light gray color it is within the required Ringleman Opacity limits. The only time they consider a problem is if the emission smoke is black then there could be a violation by that time the air is full of pollution and the public suffers. This is especially true with the condos that are right next door to the cement plant and are continually subjected to this terrible ongoing pollution and dust the BAAQMD does nothing to stop this pollution. Even if the color of the emissions smoke coming from the kiln is clear it is still pollution and the system of monitoring this pollution is outdated to say the least because it does not consider what the levels of pollution really are visual is just not enough this must end and a new system needs to be developed to keep the public safe. The dust collectors are not doing their job dust is flying all over the Silicon Valley especially at night because Lehigh Hanson Cement Company does their worst at night under cover of darkness and also on the weekends when they know that the BAAQMD and the public is asleep and not able to check on them. The next time you feel like you have allergies and suffer from what you think are allergies think again it is Lehigh Hanson Cement causing your head, eyes, lungs and stomach problems. What is this doing to the health of the public it is causing all kinds of health issues such as cancer, asthma, diabetes, lung disease, autism and many more diseases which include shortening of people's lives. I ask that the agencies and the City, County, State and Federal representatives take a look at this system of things and change them. Making Lehigh Hanson Cement and Quarry Company pay a fine or a fee does not help with stopping this life threatening pollution disaster but closing down the polluters and cleaning up the mess that they have made will help save lives and stop Global Climate Change Disaster. Please understand what is happening and save our planet before it is too late.

There are more dust collectors but I did not mention them it is all the same thing. I would like to know more about the 32 bag houses that were converted to just two release areas seems there is always a dust problem and that this system does not work. There is no mention of this in detail and I think that is important to mention them. I would also like to see the violations posted with the Title V Permit and the outcome, how much was paid by Lehigh over the years and what were the violations for it is very important. There should also be a list of how these violations were corrected if they wish to renew the permit and that is just not happening and this information should be made more available just contacting the records department and asking for records is not enough.

A# 154 Lime/Carbonate Dry/Slurry Injection System S-154 & 156 Activated Carbon Injection System S-154 – Read More –

Comment: I am concerned about the releasing of Lime and Carbon into the kiln of course it does not state that they are releasing this into the kiln the question is why? The BAAQMD Regulation 9-13-301.6 Condition 603, Part 16 listed has Hg CEMS has dropped the Sample Analysis and Testing of materials in and out (in the Hg CEM is certified by EPA 7 BAAQMD 261 lbs/yr. Hg (12 month rolling ave.); 0.064 lb/hr 55lb Hg/million ton Hg of clinker

Comment: Note: Underlined info left in other is left out why has this changed? It seems that sample analysis and testing is important, and how many lbs. a year at 0.064 per hour should be left in the Title V permit. My question is what is this 55 lbs Hg/million ton of clinker allowance without real testing of the pollution levels this seems extremely dangerous and the public has suffered because of lack of real

knowledge of how things really work. What is in the clinker Mercury, Lead, Arsenic and other terrible pollution clinker the cement that is manufactured it is well known what a bag of cement that the public may purchase has a warning printed on it stating it contains Mercury we are being polluted to death. To make things even worse the Steven Creek Quarry actually takes in old concrete from housing and building sites that are going to be building new buildings and chops it up to a fine gray powder. This concrete ground up gray powder has high levels of Mercury in it there are high piles of it right next to the Stevens Creek Reservoir which is being polluted by the rainwater washing over these piles and also the dust from these piles. The public needs to be made aware of this crime against the Clean Water and Clean Air Act that is being violated the water that is coming from the Stevens Creek Quarry goes into the Steven Creek Reservoir and eventually ends up in our drinking water aquifer. I grow very tired of mentioning this to all of the agencies, City, Santa Clara County, Santa Clara Valley Water District that monitors and sells water to the water companies San Jose Water and California Water Service Company and the State Regional Water Quality Control Enforcement Department who will not stop this pollution. The BAAQMD looks the other way and when I complain about the dust and the roads not being watered down they just slap the hands of Lehigh Hanson and the Steven Creek Quarry Companies and they just go out and violate all over again.

II Equipment – Table II B Abatement Devices – Dust Collectors S168 & S-169 read more

Comment: The Dust Collectors are not doing the job and it seems to me that Lehigh Hanson Cement Company is allowing the dust to be released from the dust collector at night under cover of darkness because the BAAQMD is not there to catch them. The inspectors are only available during the 8 hour days not at night. The inspectors are also not available on the weekends and Lehigh Hanson Cement also knows they are not available and is open and emitting high levels of pollution and even though the public complain nothing is done about it. Lehigh also have cameras and can view the road coming in to the cement plant and if they see the inspector they can turn down the kiln operation or even shut it down just telling the inspector they had an equipment problem and he seems to think that is ok. The public is upset about the system of things and have requested 24/7 monitoring but the BAAQMD will not put cameras in and will not monitor on the fence to make sure that Lehigh Hanson Cement Company is not breaking the law. There is a need to have the violations posted on the web and did they pay a fine for their violation and again the BAAQMD will not submit to the public's request and have even stopped the stake holder meetings without giving any real reason for doing so. The public believes it is because of the many problems at Lehigh Hanson Cement and Quarry that they are intimidated by them and are afraid of a lawsuit against the public suffers.

Table II B – Abatement Devices

340 Baghouse 8-DC-50 S-340, 341 Baghouse S-341 & S343, 342 Baghouse 8-DC-52S-342, 384 Baghouse 8-DC-31 S-383 & S384 and 390 Baghouse 8-DC-30 S-390 read more

Comment: Reference Broken Bag Leak Detectors seems that it is necessary to have Detectors assigned to the bag that catch the dust the question is why is this necessary and how advanced is the technology pertaining to the Lehigh Hanson Bag houses and the Bag house Broken Bag Leak Detectors? How often

do these Baghouse bag collector break down there is no mention here in the Title V Permit and there should be. I wonder if they are using the Best Technology Available for the equipment and monitoring detectors after all there seems to have been many violations pertaining to dust and it is no hiding the fact that dust seems to be a problem with the public and has always been a problem. It seems that if the equipment is really doing the job and that also includes the Dust Collectors than why is there so much dust all over the valley coming from the Lehigh Hanson Cement Plant so much dust that it is actually hurting our breathing and has caused many health problems and even death in many cases. The dust is all over my home and I have had and still continue to have serious health issues because of this dust. My husband and my daughter are dead due to the dust and pollution from Lehigh Hanson Cement and Quarry and from the Steven Creek Quarry that is polluting the Stevens Creek Reservoir it is a long story and I would be more than glad to talk to someone about this any time. The Source Test Every 5 years is not enough and I also think that if there is a problem with the Source Test on the Kiln and it shows that it will continue than Lehigh Hanson Cement Plant needs to be shut down. If there is a break how is the repair done? Why is there no information about the process of this very serious matter the pollution is causing terrible health issues and it seems that the BAAQMD and the EPA Region 9 are not providing the public with the information that is necessary there just is not enough transparency.

Water spray system how does it work what is it spraying this should be mentioned here and if spraying the haul is done as it says it is how does that work? The roads that Lehigh Hanson Cement and Quarry are the Steven Creek Blvd. and the Foothill Expressway they are not being watered down as they should be. The machine that monitors truck and car speeds is shut off on Steven Creek Blvd. and I do not know why maybe someone can look into it?

III General Applicable Requirements – It is stated in part that these requirements apply in general manor to the facility and/or to sources exempt from the requirement to obtain a District Permit to Operate. The District has determined that these requirements would not be violated under normal, routine operations, and that no additional periodic monitoring or reporting to demonstrate compliance is warranted.

Comment: Lehigh Hanson Cement and Quarry are continually in noncompliance and additional periodic monitoring and reporting is necessary and has been necessary by the BAAQMD so why is the Title V not reflecting these violations and why is this information hidden from the Title V permit, the EPA Region 9 and the public? The above states General Applicable Requirement there is a need for more than just General Requirements Lehigh Cement Plant especially needs to be monitored continually daily if necessary and I am told that the inspector is up at the facility at least once a week because of equipment pollution problems and because of the public's calling about pollution emissions. The permit lacks real transparency and so how can the BAAQMD and the EPA Region 9 allow this permit to be renewed? I do not believe that this permit should be renewed and that the Lehigh Hanson Cement Plant and the Quarry need to be shut down in order to protect the public from this ongoing terrible pollution problem and it should be done immediately. I also believe that Lehigh Hanson Company should not be allowed to apply for a new quarry pit under any circumstances due to the serious lack of compliance and also do to the fact that they will be harming the public and animals alike for another 100 years. The new pit would destroy 30 thousand trees, 600 acres, destroy the animals that call the land their home and kill

the animals that live on this land. The land right now that Lehigh Hanson Cement and Quarry have harmed with the old pit will never be brought back to any kind of real use the beauty of the land has been destroyed and believe me there really is no real reclamation plan that could reclaim the land. I cry everyday over this terrible crime that is being committed against the public and it is time to end the suffering please do not renew this permit.

Table III Generally Applicable Requirements 4 BAAQMD Regulations 2, Rule 5 New Source Review of Toxic Air Contaminants 12/07/16 States Federally Enforceable (NO)

Comment: The rules should be also Federally Enforceable because of the list of Toxic Air Contaminant Trigger Levels these levels need to be listed on the permit and also the levels that Lehigh Hanson is emitting need to be listed next to the Federal Levels and BAAQMD Levels. If the BAAQMD has their own level limit than all three levels should be listed. If there is a violation than this needs to be listed on the Title V Permit stating the violation, plan of correction, was a fine imposed and how much was the fine and was the Cement Plant closed for repairs or for noncompliance. It does not good to write Regulations and Rules, conduct workshops, and allow the public to comment if in reality the polluter Lehigh Hanson Cement and Quarry and the Steven Creek Quarry are allowed to break the law and emit extremely high levels of pollution. It does no good for Lehigh Hanson to pay fines the fines in their eyes is just a way of doing business, and they will just go out and pollute again. The BAAQMD and the ARB will not ever shut them down for their non compliance. The public is very upset about all this and things need to change drastically but if the EPA Region 9 and the Federal EPA will not get involved or that the BAAQMD thinks they do not need to get involved than nothing will ever change and the people the public will suffer many health issues and even suffer death.

I can sit here and look up all of the Regulations and Rules and have become very disappointed because it is all on paper and means very little to the enforcement agencies who will not enforce them how can anyone justify this injustice there really is no way. I ask that the EPA Region 9 and the Federal EPA come in and make sure that the BAAQMD and the ARB is doing their job but I can only hope and pray that justice will be served. It seems to me that if people keep getting sick and dying from the terrible pollution to the Air, Water and Soil that the powers that be should take notice sad to say they are not.

The fees that are paid to the Air Resource Board by companies that pollute are in reality a payoff which allows the polluters to pollute and even mentions how many lbs. that they are allowed to pollute these fees are paid each year. I have to wonder how in the world the Air Resource Board comes up with the amount in lbs. that they tell the polluters that they can emit can anyone tell me? I see that giving out permits and imposing fees is all the Regulations and Rules seem to use the public was told that stronger enforcement was going to take place and we all thought that was real enforcement but I see now that they just imposed fees for the polluter to pay. These fees do not stop the pollution because the polluter does not mind paying them but if the emission levels were brought down to tighter levels than they would probably be concerned. The sad part is that the emission levels will never be brought down because if they were the polluters such as the Lehigh Hanson Cement Company could not operate.

IV Source Specific Applicable Limits & Compliance Monitoring Requirements – Some of what is stated the permit holder shall comply with all applicable requirements, including those specified in the BAAQMD and SIP Rules and Regulations and other and other federal requirements cited below. [Read More](#)

Comment: The EPA Region 9 website is a jungle weeding through it trying to find anything is impossible it does not answer the real questions that should pertain to real pollution enforcement. The Permit Conditions are not adhered to by Lehigh Hanson Cement and Quarry Company yet they are allowed to renew their permit to pollute the public. I cannot understand how this is even allowed to happen and the public wants to know what good is monitoring and it does not matter how often they are monitored if there is no real enforcement of any kind?

I am waiting to view the Lehigh Hanson Cement Source test that was just recently taken and I have requested from the Air Resource Board a copy, and I can only hope to receive it very soon this is very important because if Lehigh Hanson Cement is out of compliance they should not be able to renew this permit. I can only hope that it is accurate and that it is honest but who knows especially if Lehigh Hanson Cement conducted the test themselves and I have mentioned they can calibrate the monitoring equipment themselves. I would like to know what the ARB, BAAQMD, Santa Clara County and EPA Region 9 will do if Lehigh Hanson Cement Company is out of compliance. I would like to mention that the Stake Holder meeting we used to have here in Cupertino used to provide information about how things worked at Lehigh but now the meetings are no more and the public is left in the dark. It would be helpful to know how to read the Source Test but who is going to show the public how to do that if there are no stake holder meetings any more. The Regulations and the Rules that are written by the BAAQMD are not enforced the public is fooled into thinking that there are real protections against pollution by just writing them that is not good enough.

Table IV General Applicable Requirements, Applicable Limits & Compliance Monitoring Requirements Facility Wide.

Comment: The permit should show the Source Test information just stating the Applicable Requirement is not really allowing the public to see how you justify the polluter's Compliance or Non Compliance and it also does not show what you have done aside from imposing a fee or a fine. The permit is extremely limited of precise information and their needs to be more transparency all around. The question is how can the public really know that they are safe if they can read about the Source Test and other test conducted at Lehigh Hanson Cement and Quarry and the Stevens Creek Quarry? It seems all the permit does is show what requirements are required by the BAAQMD, ARB and the EPA Region 9 that is not enough.

Page 230 Source – Specific Applicable Requirements, Applicable Limits & Compliance Monitoring Requirements and other pages.

RACT Limit Time duration of startup, shutdown, or malfunction, test results, evaluation, calibration, checks adjustments, maintenance of CEMS (Basic RACT) [Read more](#) –

Comment: The Title V Permit does not give specifics of performance at the time the permit is renewed it just states the mechanics what processes are used but the public wants to know at the time the permit is renewed the compliance or lack of compliance in detail fines or fees paid and other pertinent information. There needs to be more transparency the BAAQMD and the ARB needs to provide more information to the public just giving how things are designed is not giving the much needed enforcement information. I do believe the only way to renew this permit is to provide additional information and if Lehigh Hanson Cement and Quarry or the Steven Creek Quarry is out of compliance than they should be held accountable and if need be shut down as stated in the initial paragraph at the being of this Title V Renewal Permit. I am told if the public wants reports or information about complaints they need to contact the records department why should the public have to do that when this information should be ready available on the web for review by the public. There are also no stake holder meeting being held and there should be so that many questions can be addressed and the public needs to be included. There needs to be a notice to the public that needs to go out when the stake holder meetings will start again, time and place of the meeting and the agenda this is important.

Note: There is no point in going down the list of all of the items in this permit because without information about compliance and the violation records adjoining this report it is meaningless. I would like to see the levels of pollution emitted and the violations, complaints and also the age of the equipment so that if necessary the equipment can be replaced if necessary.

Page 496 – IV Permit Conditions Cond #24626 Read more –

Comment: What happened to the Lime Bin item it was crossed out? The visible particulate emissions are a public nuisance and they are not just a visible nuisance they are extremely harmful to the public health. This permit also takes out the lime delivery truck limit of 290 why is that? It then goes on to rope all of the cement trucks, lime trucks, soda ash/sodium bicarbonate trucks and powdered activated carbon trucks all together and states that the 70,000 Trucks in any consecutive 12 month period (Basic: To avoid Cumulative Increase of PM 10. My Question is – how does all of this actually avoid Cumulative Increase of PM 10? The amounts of each type of substance should be broken out Lehigh Hanson Cement Company knows how much of each they receive after all they have to pay for it and have the amount received on the receipts and keep records they have tons or lbs. and information about how many truck loads they receive of each item. This statement to avoid Cumulative Increase of PM 10 is false and misleading the public. The public does not feel that 70,000 thousand truck loads going the Lehigh Cement Plant is in any way helping at all in fact it is severely harming the public with terrible pollution. The truck loads are not covered the product they are delivering is not contained how does that help with PM 10 or PM 2.5 can anyone at the BAAQMD tell me? We also wonder where is the product being placed after delivery is it allowed to just be put on the ground without a cover or containment container and what are the locations of the items.

The other problem that is alarming the public is regarding the Petroleum Coke & Coal delivery how is that being delivered is it contained in a containment deliver truck? How is it stored at Lehigh Hanson Cement Company? Is it left on the ground or contained in a full containment unit? In the past it was allowed to be left on the ground with only a 3 sided and 1 top enclosure the front was left open but this

would leave it open to the elements so the Petroleum Coke or Coal would get wet and had to be dried before it could be burned this seemed very alarming to me it caused more air pollution. The rainwater would rain on the piles and the water would then run into a pond again this was very alarming to me. I asked Santa Clara County about this and never really was told exactly what was being done about this and to this day I still do not know. Petroleum Coke is radioactive and it is supposed to be handled with certain restrictions and as far as I could see it never was maybe it is time someone found out and did something about this. I have to wonder where is the State Regional Water Quality Control Board they should also want to know about all this.

IV Permit Conditions Page 500 – read more Item 17 Quality Improvement Plan (QIP) & Item 18 – States gauges are calibrated quarterly.

Comment: 17 It states if exceedance continue to occur, the District may require the owner/operator to develop and implement a Quality Improvement Plan (OIP) these exceedances are serious and it seems that Lehigh Hanson Cement should be closed down until they can stop the pollution the public wants to know why are they allowed to remain open?

Item - 18 Lehigh calibrates its own gages and other equipment how can you be sure that it is done honestly because all they have to do is adjust the calibration to register whatever they want this seems easy enough especially when the BAAQMD seems to think they would not do such a thing. I am concerned it is like the fox watching the chicken coop more needs to be done to make sure that the public is protected from the ongoing pollution at Lehigh Hanson Cement and Quarry and the Stevens Creek Quarry. I mention the Steven Creek Quarry because they need stronger enforcement as well and can only hope someone will work to put them into compliance where the BAAQMD has not been using strong enforcement tactics.

My question here is where does the dust go that is collected someone once told me it is put back into the kiln and burned is that true? The increase of Petroleum Coke or Coal burning in the kiln has increased and I feel that that is more pollution going out into the Silicon Valley and people are feeling the health issues this needs to end. I could write much more about this permit and the way that the BAAQMD, Air Resource Board and EPA Region 9 handle writing this permit that needs to be enforced but it would not change things so I wrote what I could in the slim chance that someone is going to read my comments and try and help change things. The Lehigh Cement and Quarry and the Steven Creek Quarry need to be shut down so as to protect the public from further pollution that is causing so many health issues and even death. The fact that polluters like Lehigh are also responsible for Global Climate Change Disaster is evident and in the days, weeks and years to follow everyone will finally realize that we the public and animals alike cannot live next to a major polluter as the Lehigh Hanson Cement Plant and the Stevens Creek Quarry.

I am going to submit my comments to the BAAQMD and I would like to know if they will be posting these comments on their web site please let me know via my e-mail cathyhelger@gmail.com

Thanks

